

**MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL**  
**WEDNESDAY, APRIL 13, 2016**

**I. CALL TO ORDER**

- Mayor Miller called the meeting to order at 6:00PM. Council members in attendance: Miller, Fulkerson, Baker, Winnett. West participated in the closed session via teleconference.
- City Staff in attendance: City Manager Dan Berman, City Clerk Gabriel Adams.

**II. PLEDGE OF ALLEGIANCE**

**III. ADJOURNMENT TO CLOSED SESSION**

1. Government Code Section 54956.8: Real Estate Negotiations, Trinidad Memorial Lighthouse
2. Government Code Section 54956.9: Litigation Threat re: VDU Ordinance

**IV. RECONVENE TO OPEN SESSION – *Nothing to report.***

**V. APPROVAL OF AGENDA**

*Motion (Baker/Winnett) to approve the agenda as written. Passed 4-0.*

**VI. APPROVAL OF MINUTES – March 09, 2016**

*Motion (Fulkerson/Baker) to approve the minutes as written. Passed unanimously.*

**VII. COUNCIL MEMBER REPORTS:**

**West:** (Absent)

**Baker:** Nothing to report.

**Miller:** RCEA discussing Community Choice Aggregate Program.

**Fulkerson:** Meet the new air carrier PenAir at the airport on April 21. Upcoming Health Fair at Town Hall, and NCJ article on Carson Mansion.

**VIII. STAFF REPORTS:**

City Manager Berman submitted a report to the City Council at the meeting highlighting various accomplishments and project status for the month, including;

- Measure Z Funding opportunity for second police deputy in Trinidad.
- Land movement at Lighthouse is being reviewed by engineers.
- Water leak repair on View Street due to Cherry Tree roots.
- Trinidad Rancheria considering Trust status for Harbor Area. Letter submitted for future discussion.

**IX. ITEMS FROM THE FLOOR:**

**Katherine Wayne – Chamber of Commerce**

Introduced Chamber E.D. Ashley Mobley, announced 28<sup>th</sup> Annual Member dinner, and looking for Fish Fest volunteers.

**Susan Rotwein – Trinidad**

Thanked the City Planner for working hard to get the second round of septic program letters mailed out. Also noted that the ATT phone line hanging across the Parker Creek Trail has finally been removed.

**X. CONSENT AGENDA**

1. Financial Status Reports for February 2016.
2. Approve Removal of Two Cherry Trees on View Street.
3. Letter of Support for NOAA's Trinidad Head Observatory Project.
4. Resolution 2016-03; Supporting the Renewal of North Coast Recycling Market Development Zone Re-designation.
5. Resolution 2016-04; Authorizing Submittal of Application for Payment Programs and Related Authorizations as-needed for CalRecycle Grants and Funding Opportunities.

*Motion (Baker/Fulkerson) to approve the consent agenda as submitted. Passed 4-0.*

**XI. DISCUSSION/ACTION AGENDA:**

1. Discussion/Decision Regarding Planning Commissioner Appointment

The recent resignation of Commissioner Lisa Espejo has left the Commission with one vacant position for a term through December 2018.

The current commissioners are:

Chair:	Mike Pinske	resident	Term expires December 2016
	Cliff Poulton	resident	Term expires December 2016
	Diane Stockness	resident	Term expires December 2018
	Richard Johnson	Trinidad area resident	Term expires December 2018

As of Wednesday, April 06 deadline, the city received (5) letters of interest for (1) vacant position. (4) Letters were received from individuals residing outside the city limits; **Katherine Wayne, Charles Netzow, Karen Glinden, and Andrew Hagen.** (1) Letter was received from in-city resident **Laura Scott.**

Trinidad Municipal Code 2.20.090 allows the Planning Commission to include up to (2) Commissioners that live outside the city limits. Qualifications are defined in that section.

**Mayor Miller** showed gratefulness for the applications received, but noted there was only 1 city resident that applied and that he felt obligated that the city must consider her qualifications first.

**Laura Scott** introduced herself as an HSU student, Larripun Café employee, city resident, and volunteer for the Trinidad Volunteer Fire Dept.

Public comment included:

**Susan Rotwein:** I have a problem with Scott. The ordinance clearly states that the Council may select a second member from the Trinidad Area "in the event there are no acceptable applicants from within the city limits..." There are 4 other balanced and reasonable candidates to consider. Scott will be disruptive and a distraction to the challenges the city currently faces.

Council comment included:

**Miller:** I have opinions too, but it's my job as a city representative to listen and hear both sides. I see Laura as being personally capable of handling the position. I feel obligated to consider Ms. Scott due to the ordinance giving preference to city residents.

**Winnett:** Echoed Miller's comments.

**Fulkerson:** I have never met Ms. Scott, but support her in a Planning Commission role. It is our job as representatives to listen, as opposed to being an advocate for one side or another.

**Baker:** I wrestled with this as well. Scott has strong opinions but that doesn't mean she can't evolve. She is appointed, not elected. The candidate must understand that it is important to maintain an open mind. Baker asked Scott what relevant experiences she has that will help her maintain a balanced role?

**Scott** stated that she would refer to her experience as a volunteer in medicine to treat all people without judgment as excellent training for this, and added that it was her first amendment right to come to the podium and speak freely at public meetings.

*Motion (Fulkerson/Baker) to appoint Laura Scott to fill the term through December 2018. Passed 4-0.*

2. Presentation from Humboldt County Convention and Visitors Bureau and Humboldt Lodging Alliance.

City Manager Berman introduced Tony Smithers. Smithers serves as the Executive Director of both the Humboldt County Convention and Visitor's Bureau (HCCVB), and the Humboldt Lodging Alliance (HLA).

These two non-profit organizations both seek to promote Humboldt County as a tourist destination, with HLA focused specifically on increasing overnight lodging.

Smithers explained that the HCCVB is funded in part by the County and Cities, and is the official destination marketing organization for Humboldt County. The City of Trinidad has contributed to HCCVB in the past, but is not currently doing so. HLA was created as part of the creation of a Tourism Business Improvement District (TBID). With the support of the County and local Cities including Trinidad, lodging businesses voted to enact an additional 2% TOT tax. For lodging within the City, these funds pass through the City to HLA. The TBID will expire in 2017 unless renewed by a vote of the lodging businesses affected.

Smithers further explained the analytics behind both organization relative to their performance.

Public comment included:

**Kathleen Lake** – Trinidad

Money should be spent promoting residents, not beds.

**Tom Davies** – Trinidad

There's HLA% that's due back to the city. That money should be given to the HCCVB as the city's contribution. Trinidad doesn't need to spend more money to be promoted. I don't use the HCCVB website, and I'm not a NIMBY.

**Patti Fleschner** – Trinidad

I agree with Fulkerson and take the All-for-1, 1-for-All approach. We should be setting a tone of cooperation.

Council comments included:

**Winnett:** I've spent 6 years as a board member for this organization and it's a little embarrassing that Trinidad hasn't contributed.

**Fulkerson:** HCCVB is small-minded for taking the City of Arcata off their website for not contributing. That decision is absurd, but then again, I'm a socialist. I also understood that there would be a 25% kick-back that could be returned to the contributing cities. I'd like to see that money applied for by the City of Trinidad's representative on HLA. I'm not interested in contributing anything to the HCCVB.

**Miller:** HLA has a fair amount of funding, but the HCCVB never seems to have enough.

*By consensus, the Council agreed to consider a nominal amount during the upcoming budget process.*

3. Discussion/Decision regarding Consideration of Sales Tax Extension

City Manager Berman explained that the voter approved  $\frac{3}{4}$ % sales tax is scheduled to expire in April 2017. At the March 09 meeting the Council agreed that the add-on tax measure was vital to keeping up the level of service the City provides and that at minimum, continuation of the  $\frac{3}{4}$ % sales tax should be proposed to the voters. Council directed staff to move forward with the steps required to give the voters an opportunity to continue the sales tax measure on the November 2016 ballot. Public comments at that meeting encouraged the Council to consider other alternatives including a 1% tax increase. The discussion was continued to the April meeting for more deliberation.

Council needs to select the rate and duration of the sales tax measure. The June meeting is the final deadline to make this decision, but staff recommends acting sooner if possible.

**SALES TAX RATE OPTIONS:**

Two specific options were discussed at the March 09 meeting:

1. Continue the  $\frac{3}{4}$ % sales tax increase as-is, for another 4-years. This is what was done last time.
2. Propose a new 1% sales tax increase (duration was not discussed).

After discussing implementation options with representatives from the State Board of Equalization, hearing public comment and unanimous Council support for continuation of the current tax, staff would like the Council to be aware

that a new measure can be drafted without a set termination date. Staff see this as worth consideration. Staff specifically would recommend consideration of a third option

3. Propose the additional ¾% sales tax without a termination date.

This would avoid the cost and effort of renewing the measure every four years, maintain the current rate, and avoid additional implementation fees imposed by the BOE.

If the measure is approved, and in the future the City finds the additional tax unnecessary, a simple majority vote by the Council to rescind the Ordinance that put it into effect will terminate the add-on tax.

### **DEADLINES:**

The City's November election ballot will ask the voters to decide on 1) the Sales Tax Measure, and 2) selecting 2 new Council members. There are deadlines shared with the Sales Tax election decision, and others that are independent from the Sales Tax election schedule:

#### **FIRST DEADLINE: June 08, 2016 Council meeting:**

1. Final decision to proceed or sunset the Sales Tax Increase must be made.

#### **SECOND DEADLINE: July 13, 2016 Council meeting:**

1. If a decision is reached to continue the sales tax increase, the wording must be drafted and approved in a resolution. Staff will draft the resolution based upon the decision reached at the June meeting (or earlier) and include it for adoption at the July 13 Council meeting.
2. A second resolution will be required at this meeting to approve requesting that the City and County consolidate their elections. Clerk will have the resolution prepared for discussion/approval at this meeting regardless of the Sales Tax decision.

The next steps following the July 13 Council meeting deadline will be advised after each benchmark decision is reached. The Clerk's office will provide monthly updates and announcement to the Council regarding publishing deadlines and required notifications for both elements of the election.

#### **Public comments included:**

**Leslie Farrar** – Trinidad

I do not support a tax without a termination date.

**Alan Grau** – Trinidad

Why hasn't any of the T.O.T. funds been set aside for enforcement? Instead, residents have to police vacation rentals themselves. I won't support a tax without a termination date. Employees are paid generously. If you want to make my day, ban short term non-owner occupied rentals.

**Katherine Wayne** – Trinidad Area

On behalf of the County residents, I do not support 1%, or being taxed without representation, or without a termination date.

**Susan Rotwein** – Trinidad

I support ¾ or 1% with a termination date. We need to start prioritizing our spending.

**Tom Davies** – Trinidad

I support ¾% for 4-years, with public safety being a priority.

#### **Council comment included:**

**Baker:** I support public concern for a termination date. It gives the residents security knowing there will be accountability every 4-years.

**Fulkerson:** I support  $\frac{3}{4}\%$  without a termination date. If you don't like it, you can join the Council and make the change. All it takes is a majority vote to rescind the tax. However, I'll vote with the Council on this one.

**Miller:** There are countless reasons that this additional tax is needed. Professional management, increasing regulations from the Feds and State, fair pay for workers, etc. I don't want to have a debate every 4 years why the city needs a manager. I support no termination date for the tax, but I'm afraid it will not pass without it. However, I do have faith that every 4 years it will be approved.

*Motion (Fulkerson) for  $\frac{3}{4}\%$  increase with NO termination date. **Failed due to lack of second.***

*Motion (Baker) for 1% increase for 4-years. **Failed due to lack of second.***

*Motion (Winnett/Baker) for  $\frac{3}{4}\%$  increase for 4-years. **Passed 3-1 (No = Fulkerson)***

## **XII. ADJOURNMENT**

Meeting ended at 8:10pm.

**Submitted by:**

**Approved by:**

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**Gabriel Adams**  
City Clerk

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**Dwight Miller**  
Mayor